

REMARKS

With respect to the claim objections set forth in paragraph 3, the appeal brief is referenced as a response to the requirement that N should be defined as an integer greater than 2. With respect to the request to change the language in claim 1 with N bands, the change has been made, although not the exact change proposed by the Examiner. Passing N bands in the context of the claim seems to be no sense since the claim is not a method claim. The suggestion that N-1 band should be changed to reject one less than the N bands is also technically incorrect. The idea is that N-1 of the N bands is rejected. It is noted that this is at least one problem with the cited reference.

The other changes were generally made with the following exceptions. The requirement that the word “only” be applied in claim 6 seems to be without any support. The change was not made.

The requirement that “said input signal” lacks antecedent basis in claim 20 is incorrect and the change was not made.

With respect to the Section 101 rejection, the assertion that the claim is not a process machine out of a manufacture is plainly unworkable. It is clearly an item of manufacture, especially as modified. The assertion that a claim that recites a computer that solely calculates a mathematical formula is noted, but there is nothing about claim 26 that calculates a mathematical formula. Clearly, what is done is that the claimed instructions, when executed, implement a filter which is a concrete result.

The rejection of claims 16-25 based on enablement should be reconsidered in view of the claim amendment. Detailed data on exactly how to design the filter is set forth in the specification. The unsupported assertion that the material is not enabled is both insufficient to make out a proper rejection and obviously deficient in view of the wealth of information provided on exactly how to design the asserted filters. The assertion that the specification “does not described, independently, both (1) selectively programming and (2) adapting is unworkable. The selectively programming of the first stage is plainly set forth in the specification. The suggestion that the claim requires some sequence is unworkable as a matter of law. Method claims are not required to set forth any specific sequence.


Therefore, reconsideration is requested.

The rejection of claim 1, based on Oh in view of Gustafsson, should be reconsidered in view of the claim amendment.

Therefore, reconsideration is requested.

Respectfully submitted,

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